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LITTLE BIZZY, LLC
c/o Registered Agent
Mail Link LLC
848 N. Rainbow Blvd #4064
Las Vegas, Nevada 89107

United States District Court
for the District of Nevada

NEUMONT UNIVERSITY, LLC, a) Case No.: 2:12-cv-01395-GMN -PAL
Delaware limited liability)
corporation)

Plaintiff,)

vs.)

LITTLE BIZZY, LLC, a Nevada)
limited liability company;)

MOTION TO DISMISS

JESSE NICKLES, an individual)

Defendant)

Pursuant to Rule 12 of the Federal Rules of Civil
Procedure, the Defendant hereby moves the Court to dismiss
Plaintiff's Complaint with prejudice. The bases for this Motion
are set forth in the accompanying Memorandum.

September 4, 2012

Jesse Nickles
LITTLE BIZZY, LLC
848 N. Rainbow Blvd #4064
Las Vegas, Nevada 89107

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2 c/o Registered Agent
3 Mail Link LLC
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9 NEUMONT UNIVERSITY, LLC, a
10 Delaware limited liability
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11 Plaintiff,

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14 limited liability company;

15 JESSE NICKLES, an individual

16 Defendant

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MEMORANDUM IN SUPPORT

OF MOTION TO DISMISS

21 **FACTS**

22 Defendant Little Bizzy LLC is an internet website
23 management (website hosting) company for clients around the
24 world. As part of these services, the Defendant is sometimes
25 obligated to register internet domain names on behalf of clients
26 who lack the technical expertise required to do so, and/or deal
27 with various outside inquiries regarding website purchase
28 offers, while passing relevant information on to clients and/or
website/domain owners who lack the technical expertise required
to evaluate website purchase offers.

ARGUMENT

I. Plaintiff's Complaint Fails To State a Claim Upon which Relief May Be Granted

Plaintiff's claim must be dismissed because the Plaintiff's legal claims are without merit. The financial damages and/or business disparagement alleged by the Plaintiff are a result of Plaintiff's own customers (college students) posting their grievances and complaints on the collegetimes.us website of their own free will. The Defendant, acting solely as a website hosting service provider, did not have any "deliberate", "intentional", or otherwise direct involvement with the content displayed on the pages of the collegetimes.us website. Additionally, the Defendant no longer provides active website hosting services to the collegetimes.us website at this time, including domain registration services.

Furthermore, as put forward under Section 230 of Title 47 of the United States Code (47 USC § 230):

(1) Treatment of publisher or speaker

No provider or user of an interactive computer service shall be treated as the publisher or speaker of any information provided by another information content provider.

(2) Civil liability

No provider or user of an interactive computer service shall be held liable on account of-

(A) any action voluntarily taken in good faith to restrict access to or availability of material that the provider or user considers to be obscene, lewd, lascivious, filthy, excessively violent, harassing, or otherwise objectionable, whether or not such material is constitutionally protected;

or

(B) any action taken to enable or make available to information content providers or others the technical means to restrict access to material described in paragraph (1)

CONCLUSION

For the reason stated above, the Defendant's Motion to Dismiss should be granted.

Delivered September 4, 2012 by Federal Express to:

UNITED STATES DISTRICT COURT CLERK'S OFFICE
333 Las Vegas Blvd
Room 1334
Las Vegas, Nevada 89101

Respectfully,

Jesse Nickles
LITTLE BIZZY, LLC
848 N. Rainbow Blvd #4064
Las Vegas, Nevada 89107